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BEYER WEAVER & THOMAS, LLP

INTELLECTUAL PROPERTY LAW

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FACSIMILE COVER SHEET

May 13, 2005

Receiver: Examiner William C. Jung - Group Art Unit 3737

TEL #:

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Sender: Henry K. Woodward

Our Ref. No.: ORTHP001

Re: 09/828,070

Pages Including Cover Sheet(s): 9

MESSAGE:

Please see attached Amendment D.

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CONFIDENTIALITY NOTE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jenny A. Tyler

Attorney Docket No.: ORTHP001

Application No.: 09/828,070

Examiner: Jung, William C.

Filed: April 5, 2001

Group: 3737

Title: METHOD FOR DIAGNOSIS OF AND
PROGNOSIS FOR DAMAGED TISSUE

Confirmation No.: 7266

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to fax number 703-872-9306 to the U.S. Patent and Trademark Office on May 13, 2005.

Signed: _____

Laura M. Dean

AMENDMENT D TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	10	MINUS	20	0	x 25 = 0	x 50 = 0
Independent Claims	2	MINUS	3	0	x 100 = 0	x 200 = 0
Multiple Dependent Claim Present and Fee Not Previously Paid					\$180.00	\$360.00
Total					\$0	\$0

- ☒ Applicant(s) hereby petition for a one month extension(s) of time to respond (for a Small Entity) to the aforementioned Office Action.
- ☒ Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 500388.
- ☒ Please charge the required fee of \$60.00 for a one month extension of time, or any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 500388 (Order No. ORTH1P001).

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P.O. Box 70250
Oakland, CA 94612-0250

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP

Henry K. Woodward
Henry K. Woodward
Reg. No. 22,672

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jenny A. Tyler

Attorney Docket No.: ORTHP001

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Signed: _____


Laura M. Dean

AMENDMENT D

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated January 13, 2005, please amend the above-identified patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.